

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Burton Amernick on 3/25/10.

The application has been amended as follows: Replace current abstract with the following abstract:

Copper (I) formate complexes of general formula $L_nCu(HCOO) \cdot x COOH$ are decomposed in order to separate metallic copper, wherein x is a number from 0 to 10, n amounts to, 2, 3 or 4 and the ligands L represent, independent of one another, one of the following ligands: a phosphane of formula $R^1R^2R^3P$; a phosphite of formula $(R^1O)(R^2O)(R^3O)P$; an isocyanide of formula R^1-NC ; an alkene of general formula $R^1R^2C=CR^3R^4$; or an alkyne of general formula $R^1C=CR^2$; wherein R^1 , R^2 , R^3 and R^4 represent, independent of one another, hydrogen, a linear or branched, optionally partly or fully fluorinated alkyl, aminoalkyl, alkyloxalkyl, hydroxalkyl, phosphinoalkyl or aryl radical having up to 20 carbon atoms, with the exception of triphenylphosphino-copper (I) formate and 1,1,1-tris(diphenylphosphinomethyl)ethane-copper (I) formate.

Examiner's Comments

A preliminary amendment was received and entered on 6/16/2006. Claims 1-12 are currently pending.

Allowable Subject Matter

2. The following is an examiner's statement of reasons for allowance:

Bowmaker et al. (J. Chem. Soc., Dalton Trans., 2000, pp. 753-761) teaches a copper (I) formate complex with a phosphine ligand (Abst.). However, Bowmaker only teaches the use of 1,1,1,-tris(diphenylphosphinomethyl)ethane ("triphos") (p. 753, col. 1, bottom paragraph) or triphenylphosphine (p. 754, Experimental section). Thus, Bowmaker fails to fairly teach or suggest the copper formate complex claimed in claim 1.

Art Unit: 1792

Bianchini et al. (*Inorg. Chem.* 24, 1985, pp. 924-931) teaches a copper (I) formate complex with a phosphine ligand (Abst.). However, Bianchini teaches that triphos is used as the ligand. Thus, Bianchini fails to fairly teach or suggest the copper formate complex claimed in claim 1.

Thompson (US 6,770,122) teaches a copper formate complex (Abst.) with a ligand (2:22-37) selected from the group consisting of pyridines, alkyl-substituted pyrazoles, alkyl-substituted imidazoles and alkyl-substituted triazoles (2:37-44; Formulas I-IV). However, Thompson fails to fairly teach or suggest that the ligand is selected from phosphanes, phosphites, isocyanides, alkenes or alkynes of the formulas presented in claim 1. In addition, Thompson teaches that the copper formate is copper (II) formate rather than copper (I) formate (see, e.g., 4:3-24). Thus, Thompson fails to fairly teach or suggest the claimed copper formate complex.

Taken individually or as a whole, the prior art listed above fails to fairly teach or suggest all the limitations of claim 1.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to ROBERT VETERE whose telephone number is (571)270-1864. The examiner can normally be reached on Mon-Fri 9-6.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Cleveland can be reached on 571-272-1418. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 1792

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Robert Vetere/
Examiner, Art Unit 1792

/Michael Cleveland/
Supervisory Patent Examiner, Art Unit 1712